

75657

Ident. No. -75657

95-10750

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

RECEIVED

JUL - 1 2009

IDWR/North

1. Name: SHAWN MONTEE
PO BOX 1329
POST FALLS ID 83877
(208)661-3184

2. Source: NETTLETON GULCH CREEK Tributary to: SPOKANE RIVER

3. Location of Point of Diversion:

#1 NETTLETON GULCH CREEK NE1/4SE1/4
KOOTENAI County

Sec. 6, Twp 50N, Rge 03W, B.M.

4. Water will be used for the following purposes:

Purpose	From To	ANNUAL VOLUME
STOCKWATER STORAGE	01/01 to 12/31	4.0 AF
STOCKWATER FROM STORAGE	01/01 to 12/31	0.1 AF

5. Total quantity to be appropriated is: 4.0 AF

6. Proposed diverting works:

POINT OF DIVERSION #1

a. Type and size of devices used to divert water from the source:

b. Height of storage dam 3 feet;

Active reservoir capacity 2.4 acre-feet;

Total reservoir capacity 2.4 acre-feet;.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year.

8.

PLACE OF USE: STOCKWATER STORAGE and STOCKWATER FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N 03W 6													X				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

11. Map of proposed point of diversion and place of use attached? [X]

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

SHAWN T Monte



Applicant

Dianne 5/7/09

Received by  Date 7/1/09 Time _____ Preliminary check by _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

Receipt No. N020518

Date: 5-7-09

Received by: Dianne

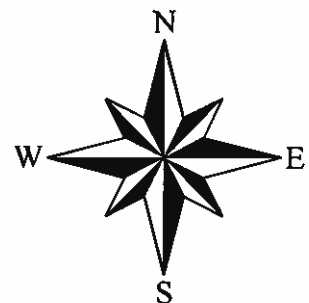
95-10750



0 60 120 240 360 480 Feet

Legend

-  Permit POD
-  workingpod
-  workingpou
-  QQ
-  Taxlots







State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

May 13, 2009

Shawn Montee
PO Box 1329
Post Falls, ID 83877

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho

Dear Mr. Montee:

The Idaho Department of Water Resources is reviewing your application for a new water right for a storage pond. Before processing can begin there is additional information that is required. Please give me a call so we can schedule an appointment to meet and finalize your application. I can be reached at 208-762-2800.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

COPY



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

June 8, 2009

Shawn Montee
PO Box 1329
Post Falls, ID 83877

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho

Dear Mr. Montee:

Enclosed please find an electronic version of your application that contains corrections made as per my visit with John Montee on June 5, 2009. The major change is the amount of water stored. From the ponds dimensions provided by John, the actual active storage is approximately 2.4 acre-feet instead 7 as previously stated on the application. The overall storage, including evaporation and stockwater is calculated to be 4.0 acre-feet instead of 15 acre-feet as per the original application.

Please review the application and if it meets with your approval, sign and return the document to me within the next 30 days so as not to delay processing. If you have any questions, feel free to contact me at this office.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent
Enclosure(s)

COPY

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, July 02, 2009 10:00 AM
To: 'Terra Berns,Mary'
Subject: FW: Agency Comment Request.doc

Attachments: 95-10750 Montee, S.pdf; Agency Comment Request.doc

Just noticed I didn't attach application

Don't count the days, let the days count.

Dianne



95-10750 Montee,
S.pdf (144 KB...

From: Ball, Dianne
Sent: Thursday, July 02, 2009 9:41 AM
To: mary.terra-berns@idfg.idaho.gov
Subject: Agency Comment Request.doc

Good morning, Mary,

Attached is our letter requesting your comments on WR App 95-10750 - Shawn Montee. Copy of application also attached.

Note that this is an existing

Please respond to Keith Franklin on this.

Thanks.



Agency Comment
Request.doc (31...

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Director

July 2, 2009

MARY TERRA-BERNS
IDAHO DEPARTMENT OF FISH AND GAME
2885 W KATHLEEN AVE.
COEUR D'ALENE, ID 83815

Re: Water Permit Application No. 95-10750 – Shawn Montee

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application follows for your reference.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so *after the notice is published* by filing a written protest along with a \$25.00 filing fee within 10 days after final publication, and by sending a copy of your protest to the applicant. This will be scheduled for publication on July 16 and 23, 2009 in the Coeur d'Alene Press.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **August 3, 2009**. That is also the final date for protest to be received in our office.

If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the address above, by FAX to 762-2819, or by e-mail to Keith.Franklin@idwr.idaho.gov.

We request that you send a copy of your comments regarding, and/or notice that you intend to protest this application to the applicant as well as to our office.

Please contact this office if you have any questions regarding the application.

Sincerely,

Dianne

Dianne Ball
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

July 9, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

SHAWN MONTEE
PO BOX 1329
POST FALLS, ID 83877

Application For Permit No. 95-10750

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the COEUR D ALENE PRESS on 7/16/2009 and 7/23/2009. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions.

Sincerely,

Keith E. Franklin
Sr. Water Resource Agent

Ball, Dianne

From: Ball, Dianne
Sent: Friday, July 10, 2009 11:58 AM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Kattie Hoy
Subject: CoverLetter 07-09-09 CDA e-mail 95-10585,600,03,16,39,40,43,750.doc

Attachments: CoverLetter 07-09-09 CDA e-mail 95-10585,600,03,16,39,40,43,750.doc; LegalNotice 07-09-09 CDA e-mail 95-10585,10600,03,16,39,40,43,750.doc

Good day to you, Kattie,

Attached is our cover letter requesting publication of a legal notice on July 16 and 23, 2009. The legal notice is also attached.

This is a pretty long one - but again should be straight copy/paste. Preferable all in one up and down view - 2 column wide.

Any questions, please call or reply to this e-mail.

Also - per usual I request a proof/preview copy for my review before this goes to press.

Thanks once again for all your wonderful help.



CoverLetter
7-09-09 CDA e-mai.



LegalNotice
7-09-09 CDA e-mai.

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819



State of Idaho

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Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

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C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Director

*Please Fax or e-mail proof/preview copy to me before this goes to press.
Fax (208) 762-2819 ~ e-mail dianne.ball@idwr.idaho.gov
Thanks, Dianne*

July 9, 2009

KATTIE HOY
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE, ID 83814

RE: Application for Permit No.: 95-10585, 95-10600, 603, 616, 639, 640 ,643, 750

Dear Katie:

Please publish the enclosed legal notice on the dates indicated, July 16 and 23, 2009, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 8/3/2009. Your cooperation is VERY GREATLY appreciated.

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

95-10585

WILLIAM BIXBY
24120 N DERTING RD
HAYDEN, ID 83835
Point of Diversion NWSENE S9 T52N R03W KOOTENAI CO
Source SPRING Tributary to SINKS
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 5/27/2009

Place Of Use: DOMESTIC

T52N R03W S9 NESW

Domestic use is for 1 home.

95-10600

CLIFFORD ROATCH
1527 N WILLAMETTE DR
POST FALLS, ID 83854
Point of Diversion SENE S7 T53N R04W KOOTENAI CO
Source SPIRIT LAKE Tributary to SPIRIT CREEK
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 5/29/2009

Place Of Use: DOMESTIC

T53N R04W S7 NESE

Domestic use is for 1 home.

95-10603

JAMES DAY
PO BOX 1026
HAYDEN, ID 83835
Point of Diversion SWSENE S9 T52N R03W KOOTENAI CO
Source SPRING Tributary to UNNAMED STREAM
Point of Diversion SWSENE S9 T52N R03W KOOTENAI CO
Source SPRING Tributary to UNNAMED STREAM
Point of Diversion SWSENE S9 T52N R03W KOOTENAI CO
Source UNNAMED STREAM Tributary to SINKS
Point of Diversion SWSENE S9 T52N R03W KOOTENAI CO
Source UNNAMED STREAM Tributary to SINKS
Point of Diversion SENE S9 T52N R03W KOOTENAI CO
Source GROUND WATER
Use: IRRIGATION 03/15 to 11/15 0.15 CFS
Use: IRRIGATION STORAGE 01/01 to 12/31 19.4 AF
Use: IRRIGATION FROM STORAGE 03/15 to 11/15 15 AF
Use: WILDLIFE STORAGE 01/01 to 12/31 4.4 AF
Use: RECREATION STORAGE 01/01 to 12/31 4.4 AF
Use: FIRE PROTECTION 01/01 to 12/31 0.15 CFS
Use: FIRE PROTECTION STORAGE 01/01 to 12/31 4.4 AF
Use: FIRE PROTECTION FROM STRGE 01/01 to 12/31 2.5 AF
Use: AESTHETIC 01/01 to 12/31 0.09 CFS
Use: AESTHETIC STORAGE 01/01 to 12/31 4.4 AF
Use: AESTHETIC FROM STORAGE 01/01 to 12/31 2.5 AF
Use: DIVERSION TO STORAGE 01/01 to 12/31 0.15 CFS
Total Diversion: 0.15 CFS 24.4 AF

Date Filed: 5/29/2009

Place Of Use: IRRIGATION

T52N R03W S9 SENE

Place of Use: All other uses same as IRRIGATION

95-10616

RICHARD G WITTER
525 E 12TH AVE
SPOKANE, WA 99202
Point of Diversion NENE S24 T53N R05W KOOTENAI County
Source SPIRIT LAKE Tributary to SPIRIT CREEK
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 6/2/2009

Place Of Use: DOMESTIC

T53N R05W S24 NENE

Domestic use is for 1 home.

95-10639

MC CAULEY EMERALD OWNERS ASSN INC
PO BOX 3333
HAYDEN, ID 83835
Point of Diversion NWNE S3 T51N R03W KOOTENAI County
Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.06 CFS
Total Diversion: 0.06 CFS

Date Filed: 6/3/2009

Place Of Use: DOMESTIC
T51N R03W S3 NENW NESW
Domestic use is for 3 homes.

95-10640

MC CAULEY EMERALD OWNERS ASSN INC
PO BOX 3333
HAYDEN, ID 83835
Point of Diversion NWNE S3 T51N R03W KOOTENAI County
Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.06 CFS
Total Diversion: 0.06 CFS

Date Filed: 6/3/2009
Place Of Use: DOMESTIC
T51N R03W S3 NENW
Domestic use is for 3 homes.

95-10643

MC CAULEY EMERALD OWNERS ASSN INC
PO BOX 3333
HAYDEN, ID 83835
Point of Diversion NWNE S3 T51N R03W KOOTENAI County
Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.13 CFS
Total Diversion: 0.13 CFS

Date Filed: 6/3/2009
Place Of Use: DOMESTIC
T51N R03W S3 NENW NESW
Domestic use is for 8 homes.

95-10750

SHAWN MONTEE
PO BOX 1329
POST FALLS, ID 83877
Point of Diversion NESE S6 T50N R03W KOOTENAI County
Source NETTLETON GULCH CREEK Tributary to SPOKANE RIVER
Use: STOCKWATER STORAGE 01/01 to 12/31 4 AF
Use: STOCKWATER FROM STORAGE 01/01 to 12/31 0.1 AF
Total Diversion: 4 AF

Date Filed: 5/7/2009
Place Of Use: STOCKWATER FROM STORAGE
T50N R03W S6 SWSE

Stockwater use is for 4 head of mixed stock
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 8/3/2009. The protestant must also send a copy of the protest to the applicant.

Legal #_____

Published July 16, 23, 2009